

# EXHIBIT 4

PLAIN # 4702

HONORABLE JUDGE PETER LOPEZ  
73 WEST FLAGLER STREET OOM : 00CC 1201  
MIAMI, FL 33130

IN THE CIRCUIT COURT OF THE ELEVENTH  
JUDICIAL CIRCUIT OF FLORIDA IN AND FOR  
MIAMI-DADE COUNTY  
GENERAL JURISDICTION DIVISION  
CASE NO. 2007-16754-CA-01

TOMAS DIAZ- DEFENDANT  
TO: PLAINTIFFS, IN REQUEST OF PRODUCTION

AFFIDAVIT BASED ON THE EVIDENCE PROVIDED

HONORABLE JUDGE, IM GRATEFUL FOR YOUR TIME AND THE  
OPPORTUNITY TO DIRECT MYSELF TO YOU REGARDING THE CASE OF MY  
PROPERTY. I WOULD LIKE TO ADD SOME MORE INFORMATION THAT WILL  
SERVE AS AID IN MY CASE. SHOWN IN THE FOLLOWING ORDER OF  
DOCUMENTS ATTACHED WITH THIS LETTER,

1. DEUTCHE BANK TR CO. AMERICAS AND THEIR AGENTS: MARSHALL C,  
WATSON. P.A NOTORIOUS FOR FRAUD ACTIVITY AND PLEAD GUILTY  
(EXHIBIT 1) PRESENT IN COURT MOTION FOR SUMMARY JUDGEMENT IN  
MY CASE # 2006-23056-CA-01 DATE 02/20/2006. BETHANY HOOD IN NAME OF  
DEUTCHE BANK NS MARSHALL C WATSON AGENTS AFFIDAVIT LEADING  
TO CHARGES OF DOCUMENT FABRICATION TO CHANGE TITLE.

2. DEPOSITION OF BETHANY HOOD AND AFFIDAVIT (EXHIBIT 2) DISPLAYS  
AS EVIDENCE THE NATURE OF HIS FRAUDULENT ACTS IN MY CASE.

3. ORDER OF DISMISSAL, DISCHARGE./RELEASE OF HIS PENDING ORDER TO  
VACATE JUDGEMENT CASE # 2006-23056 CA-01 (EXHIBIT 3) AND  
REOPENING.

4. OPENING NEW COMPLAINT BY DEUTCHE BANK TR CO AMERICA CASE #  
2007-16754-CA-01 AND NEW AGENTS LAW OFFICE OF DAVID J. STERN P.A  
NOTORIOUS FOR FRAUDULENT FABRICATION OF DOCUMENTS (EXHIBIT 4)  
AND AFFIDAVIT IN SUPPORT OF PLAINTIFF MOTION FOR SUMMARY  
JUDGEMENT SHERYL SAMMON ROBOSIGNER AS AUTHORIZED SIGNATURE  
OF THE LAW OFFICE OF DAVID J STERN P.A

5. DEPOSITION OF CHERYL SAMONS (EXHIBIT 5)

6. JUDY FABER. IMPROPER AFFIDAVITS LEADING TO CHARGES OF  
DOCUMENT FABRICATION IN MY CASE # 2007-16754-CA-0110, CHANGED

1/14 # 4702

TITLE AND MANAGED TO DECEIVE THE COURT (EXHIBIT 6). JUDY FABER, SIGNER VICE PRESIDENT RESIDENTIAL FUNDING CORPORATION.

7. DEPOSITION TRANSCRIPT OF JUDY FABER (EXHIBIT 7)

8 NOTARY PUBLIC STATE OF FLORIDA, NOTORIOUS FRAUDULENT DOCUMENTS SIGNED BY RUTH MARIE PINERO ON AFFIDAVIT OF COSTS OF THE LAW OFFICES OF DAVID J. STERN (EXHIBIT 8)

9.FRAUDULENT MOTION FOR SUBSTITUTION OF PARTIES , DEUTCHE BANK TRUST COMPANY PLAINTIFF REQUESTS TO TAKE TITLE IN THE NAME OF AURORA LOAN SERVICING LLC. THE HONORABLE MARGARITA ESQUIROZ CIRCUIT COURT JUDGE, WHOM PASSED AWAY, DID NOT GRANT THE REQUEST FROM AURORA. (EXHIBIT 9)

10. AURORA LOAN SERVICING (AURORA BANK FSB TODAY) FRAUDULENT ACT WITH MALICE. UNITED STATES OF AMERICA DEPARTMENT OF THE TREASURY CONTROLLER OF THE CURRENCY (AMENDS OTD ORDER NO: ne 11-16 (EXHIBIT 10)

11. AURORA LOAN SERVICING (AURORA BANK) AND THEIR AGENTS WITHOUT ASSIGNMENT LEGALLY AND CRIMINAL ACTIVITIES TRANSFER TO NATIONSTAR. THE MORTGAGE (EXHIBIT 11)

12. QUALIFIED WRITTEN REQUEST UNDER RESPA AND FDCPA DEBT VALIDATION DEMAND TO NATIONSTAR MORTGAGE LLC ( JULY 30 2012) AND AURORA LOAN SERVICING (EXHIBIT 12)

13. AFFIDAVIT OF ALEXIS MESA IN OPPOSITION TO TRUSTEES LEGAL STANDING (EXHIBIT 13)

14. DECLARATION OF ALEXIS MESA (EXHIBIT 14)

15. FRAUDULENT FABRICATION OF ASSIGNMENT OF MORTGAGE BY AGENT ABLITTSCOFIELD PC TO REVIEW TO NATIONSTAR LLC. IN BLANK TO CHANGE TITLE MANAGED TO DECEIVE THE COURT (EXHIBIT 15) HOW AURORA LOAN SERVICES ASSIGNMENT, SALE, OR TRANSFER OF SERVICING RIGHTS TO NATIONSTAR WITHOUT POSSESSION OF MORTGAGE, NOTE OR ASSINMENT LEGALLY? THIS IS FRAUD. I WANT TO SEE THE ORIGINAL PAPER IN MY CASE. THEY'RE LOST, DESTROYED OR MISPLACED CONFIDENTIALITY AGREEMENTS.

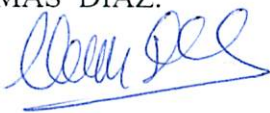
16. RESIDENTIAL CAPITAL LLC AND CERTAIN OF ITS AFFILIATES HAVE BANKRUPTCY CHAPTER 11 . DEUTSCHE BANK TRUST COMPANY IS AFFILIATED TO THEM.I HAVE CLAIMS IN THE UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT IF NEW YORK ( EXHIBIT 16)

Claim # 4702

17. IM AN INFORMANT OF CLAIMS TO THE IRS WHISTLEBLOWER OFFICE  
DEPARTMENT OF THE TREASURY INTERNAL REVENUE SERVICE,  
WASHINGTON DC. 20224 AGAINST INSTITUTIONS AND INDIVIDUAL AGENTS  
INVESTIGATION IN PROGRESS FROM APRIL 2012. MY CLAIM # 20120075541  
AND OBJECTION TO HONORABLE JUDGE MARTIN GLENN US BANKRUPTCY  
COURT OF NEW YORK. (EXHIBIT 17)  
HONORABLE JUDGE LOPEZ BASED ON THE EVIDENCE PROVIDED I ASK OF  
YOU TO SAVE MY HOME. WHICH IS IN HANDS OF THESE FRAUDSTERS OR  
FRAUDULENT BANK ENTITIES.  
I HAVE NOT PAID ANYTHING UNDER FRAUDULENT CIRCUMSTANCES.

RESPECTFULLY,

TOMAS DIAZ.



07/10/2013

Claim # 4702

IN THE SUPREME COURT OF FLORIDA

THE FLORIDA BAR,

Complainant,

v.

MARSHALL CRAIG WATSON,

Respondent.

Supreme Court Case  
No. SC-

The Florida Bar File Nos.

2011-51,042(17I); 2011-50,500(17I);  
2011-50,734(17I); 2011-50,737(17I);  
2011-51,143(17I); 2011-51,312(17I);  
2011-51,783(17I); 2012-50,148(17I);  
2012-51,090(17I); 2012-51,662(17I);  
2012-51,774(17I); 2013-50,511(17I).

CONDITIONAL GUILTY PLEA FOR CONSENT JUDGMENT

COMES NOW, the undersigned respondent, Marshall Craig Watson, and files this Conditional Guilty Plea pursuant to R. Regulating Fla. Bar 3-7.9(a).

1. Respondent is, and at all times mentioned herein was, a member of The Florida Bar, subject to the jurisdiction of the Supreme Court of Florida.

2. The respondent is currently the subject of Florida Bar disciplinary matters which have been assigned The Florida Bar File Nos.: 2011-51,042(17I); 2011-50,500(17I); 2011-50,734(17I); 2011-50,737(17I); 2011-51,143(17I); 2011-51,312(17I); 2011-51,783(17I); 2012-50,148(17I); and 2012-51,090(17I).

3. As to the cases listed above in paragraph 2, there has been a finding of probable cause by the Seventeenth Judicial Circuit Grievance Committee "I". The following cases are pending at staff level: The Florida Bar File Nos.:

  
MCW

1

  
DAW

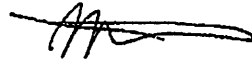
  
JCA

*Claim #4702*

compliance with paragraphs 5(A) and 11, nothing in this consent judgment shall preclude respondent from filing for reinstatement pursuant to rule 3-7.10.

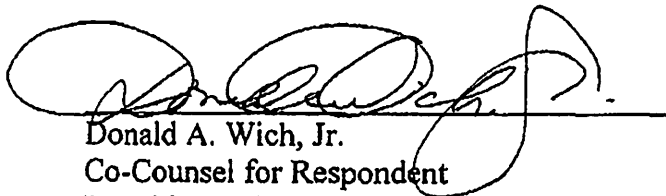
13. This Conditional Guilty Plea for Consent Judgment fully complies with all requirements of The Rules Regulating The Florida Bar.

Dated this 7 day of December, 2012.



Marshall Craig Watson  
Respondent  
1800 N.W. 49th Street, Suite 120  
Fort Lauderdale, FL 33309-3092  
(954) 453-0365  
Florida Bar ID No.: 365505  
mwatson@marshallwatson.com

Dated this 07<sup>th</sup> day of December, 2012.



Donald A. Wich, Jr.  
Co-Counsel for Respondent  
Donald A. Wich, Jr., P.A.  
2036 N.E. 36th Street  
Lighthouse Point, FL 33064-7596  
(954) 785-3181  
Florida Bar ID No.: 149718  
wich3@msn.com

CLAIM #4702

DEUTSCHE BANK TRUST COMPANY  
AMERICAS AS TRUSTEE,  
Plaintiff,  
vs.  
TOMAS DIAZ, et al,  
Defendants.

IN THE CIRCUIT COURT OF THE  
11TH JUDICIAL CIRCUIT, IN AND FOR DADE  
COUNTY, FLORIDA  
CIVIL DIVISION  
CASE NO.: 06-23056 CA 11

2008 FEB -1 AM 11:25  
RECEIVED FOR RECORD  
CLERK OF COURT  
DADE COUNTY  
CIVIL #98

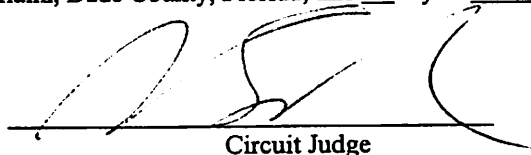
**ORDER ON PLAINTIFF'S EX PARTE MOTION TO DISSOLVE LIS PENDENS, DISMISS  
COMPLAINT, VACATE FINAL JUDGMENT, AND RELEASE ORIGINAL DOCUMENTS**

**THIS CAUSE**, having come before the Court on Plaintiff's Ex Parte Motion to Dissolve Lis  
Pendens, Dismiss Complaint, Vacate Final Judgment, And Release Original Documents, and the Court  
being fully advised in the premises, it is hereby:

**ORDERED AND ADJUDGED** that:

1. The Plaintiff's Ex parte Motion to Dissolve Lis Pendens, Dismiss Complaint, Vacate Final  
Judgment is hereby **GRANTED**.
2. The Clerk of the Court shall release all the original documents forthwith to Plaintiff's counsel.

**DONE AND ORDERED** in Chambers at Miami, Dade County, Florida, this \_\_\_\_ day of \_\_\_\_\_  
\_\_\_\_\_, 2007.

  
Circuit Judge

2008

21a 1H # 4702

IN THE CIRCUIT COURT OF THE  
11TH JUDICIAL CIRCUIT, IN AND FOR  
DADE COUNTY, FLORIDA  
CIVIL DIVISION  
CASE NO.: 06-23056 CA 11

DEUTSCHE BANK TRUST COMPANY AMERICAS AS  
TRUSTEE,

Plaintiff,

vs.

TOMAS DIAZ, et al,  
Defendants.

**AFFIDAVIT OF INDEBTEDNESS**

STATE OF MN )  
COUNTY OF Dakota ) SS:

BEFORE ME, the undersigned authority, personally appeared Bethany Hood, who being duly sworn, deposes and says:

1. Affiant is Debra Sencer-Turner of the servicing agent of the Plaintiff and is personally familiar with the loan, which is owned by the Plaintiff and is the subject matter of this action. The information hereinafter given as to the indebtedness arising by virtue of the execution of the note and mortgage sued upon in this action is contained in the original books and records maintained in the office of said servicing agent. Affiant has personal knowledge of the books and records of the servicing agent and how they are maintained as they relate to the mortgage loan owned by Plaintiff. These books and records include data compilations of the payments, including escrow payments and advances made and received on the mortgage loan in question, and are kept in the course of a regularly conducted business activity by said servicing agent. The entries are made at or near the time that each payment is received by persons with knowledge of the information being recorded. It is the regular practice of said servicing agent to make these entries at the time the payments are received. Affiant has actual and personal knowledge of the facts stated herein and is authorized to make this Affidavit.

2. The allegations of the Complaint filed in this action are true and correct.

CLAIM #4702

3. There is now due and owing to the Plaintiff upon said note and mortgage the following amounts:

a. Principal balance on note and mortgage	\$ 997,798.80
b. Accrued interest through from 8/1/06 to 12/20/06 (per diem: 222.11 )	\$ 37,494.35
c. Restructured Interest	\$
d. Escrow:	\$ 2,639.67
Taxes	
Hazard Insurance	
Flood Insurance	2,639.67
Mortgage Insurance Premiums	
e. Pre-Acceleration Late Charges	\$ 517.68
f. Property Appraisal	\$
g. Property Inspections	\$ 9.00
h. Non-Sufficient Funds	\$ 15.00
i. Interest on Advances	\$
j. Brokers Price Opinion	\$
k. Bankruptcy Fees and Costs	\$
l. Property Preservation	\$
m. Escrow/Suspense Credit	-( \$ )

4. On account of Defendants default under the note and mortgage sued upon herein, Plaintiff retained its attorney of record and instructed the filing of this action and agreed, bound and obligated itself to pay said attorney for his/her services on its behalf such sum as the Court shall adjudge to be reasonable.

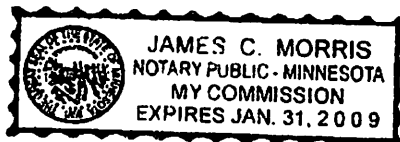
*Bethany Hood*  
Affiant

Bethany Hood - Defendant Serman  
Junior officer

Sworn to and subscribed before me this  
6 day of Nov, 2006.

NOTARY PUBLIC, STATE OF MN  
Commissioned Name of Notary Public *James C. Morris*  
Personally known *X* or produced identification  
Type of Identification Produced

06-09296  
0441375243



2009/11/19/2010:21  
CA 587 11/19/2010:28  
204.26  
The transaction known as 64  
Nov 19, 2010

CLAIM #4702

**Brian Davies**

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**From:** Lynn Szymoniak [szymoniak@mac.com]  
**Sent:** Wednesday, October 20, 2010 6:16 PM  
**To:** Foreclosure Hamlet; Foreclosure Fraud; StopForeclosureFraud (DinSFLA); mortgagefrauds@aol.com; Deontos .is; JEFFREY BRODE; George Gingo; Adam Lamb; Lawrence J. Shapiro; adennis270@aol.com; Alina Virani; Ariane Ice; Brian Davies; Bruce Gittleman; Glenn Augenstien; Michael Olenick  
**Subject:** Please Circulate!

**Mortgage Fraud**

Bethany Hood  
Lender Processing Services, Inc.  
MERS

Action Date: October 20, 2010  
Location: South Bend, IN

On September 30, 2010, U.S. Bankruptcy Judge Harry C. Dees, Jr., Northern District of Indiana, South Bend Division, confronted head-on the widespread practice of employees of mortgage servicing companies signing Mortgage Assignments with false job titles, in *Koontz v. EverHome Mortgage and Mortgage Electronic Registration Systems, Inc.*, Case No. 09-30024, Proc. No. 10-3005. In this contested foreclosure, EverHome and MERS moved for summary judgment, while the plaintiff homeowners argued that there were genuine issues of material fact that precluded summary judgment. One such issue involved a Mortgage Assignment signed by Bethany Hood as Vice President of Mortgage Electronic Registration Systems, Inc. ("MERS"). (Regular readers of Fraud Digest will recognize that Bethany Hood is a clerical employee of Lender Processing Services who works in the Mendota Heights, MN office and who signs thousands of mortgage documents monthly using at least 20 different job titles.) Here is what the Court said about this: "MERS, in its Answer to the plaintiff's Complaint, admit(ted) that Bethany Hood is not an employee of MERS. (cite omitted). The debtor claimed that the document [assignment signed by Bethany Hood as a MERS officer] was fabricated and MERS has offered no other explanation, nor has it submitted properly authenticated documentation of an assignment. It appears to this Court that a fraudulent recorded Assignment of Mortgage might still be found today in the St. Joseph's County Recorder's Office, despite MERS' knowledge of the false signature. Indeed, MERS has completely sidestepped the fact that this Assignment was signed by someone representing herself to be a Vice President of MERS, and it has declined to explain why this false document was attached to the amended Proof of Claim... In the view of this court, the conduct of the EverHome defendants and the MERS defendant - reflecting a lack of transparency and determination not to provide information or documents until required - has burdened both the debtor and this Court... On this case, the Creditors have been forced to admit that a non-employee signed the Assignment of Mortgage, representing herself to be a Vice President of MERS and other banks or mortgage companies held the Mortgage and or Note at issue... Having determined that genuine issues of material fact exist, the Court denies the Motions for Summary Judgment filed by the EverHome defendants and MERS..." How many other Mortgage Assignments signed by individuals falsely claiming to be Vice Presidents of MERS have been filed since 2008? It is likely that the number is greater than ten million.

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TRI-COUNTY  
WILL CALL

WATSON TITLE &amp; INSURANCE, INC.

CFN 2007R0084035

OR 84 25305 Pg 06543 (1pg)  
RECORDED 01/25/2007 08:40:02  
HARVEY RUVIN, CLERK OF COURT  
MIAMI-DADE COUNTY, FLORIDA  
LAST PAGE

CLAIM # 4702

RECORD AND  
RETURN TO  
WATSON TITLE INSURANCE, INC.  
1800 N.W. 42nd ST.  
SUITE 120  
FT. LAUDERDALE, FL 33309

## CORPORATION ASSIGNMENT of MORTGAGE

Return To:  
RESIDENTIAL FUNDING COMPANY, LLC  
One Meridian Crossings  
Minneapolis, MN 55423

MIN: 100086600105003521 MERS Phone: 1-888-679-6377

RFC Loan Number: 10624849

Seller Loan Number: 10500352

FOR VALUE RECEIVED, Mortgage Electronic Registration Systems, Inc. ("MERS")  
AS NOMINEE FOR PLATINUM CAPITAL GROUP

the undersigned hereby grants, assigns and transfers to

Deutsche Bank Trust Company Americas as Trustee

3 Park Plaza, 16th Floor, Irvine, CA 92714-8505

all beneficial interest under that certain Mortgage dated 04/27/2006  
executed by THOMAS DIAZ

TO/FOR: THE UNDERSIGNED

and recorded in Book 24526 on Page 3829 as Instrument No. \_\_\_\_\_ on 5/15/2006 of official  
Records in the County Recorder's Office of MIAMI-DADE County, Florida.

LEGAL: AS IN MORTGAGE REFERENCED HEREIN

MORTGAGE AMOUNT: \$1,000,000.00

PROPERTY ADDRESS: 5200 SOUTHWEST 122ND AVENUE MIAMI, FL 33175

TOGETHER with the note or notes therein described or referred to, the money due and to become due thereon with interest,  
and all rights accrued or to accrue under said Mortgage.

Mortgage Electronic Registration Systems, Inc. ("MERS")

STATE OF  
COUNTY OFMinnesota )  
Hennepin )BY: Matt Favorite

NAME: Matt Favorite

TITLE: Vice President

On 10/26/2006 before me, the undersigned, a Notary Public in and for said State personally appeared Matt Favorite, Vice  
President of Mortgage Electronic Registration Systems, Inc. ("MERS") personally known to me to be the person whose  
name is subscribed to the within instrument and acknowledged to me that s/he executed the same in his/her authorized  
capacity, and that by his/her signature on the instrument the entity upon behalf of which the person acted, executed the  
instrument. WITNESS my hand and official seal.Karen E. Steffensen  
Notary Public in and for said StatePrepared 10/26/2006 by Matt Favorite, Residential  
Funding Company, LLC, One Meridian Crossings,  
Suite 100, Minneapolis, MN 55423, (952) 979-4000.

LOST NOTE AFFIDAVIT

**AFFIDAVIT OF LOST NOTE**

(Photocopy of Note Attached)

**Loan Number 10624849**

**STATE OF MINNESOTA**

**COUNTY OF HENNEPIN**

**On this 30 day of May 2007 before me appeared S. Seidel, Assistant Secretary who being first duly sworn, does depose and say that**

**Residential Funding Company, LLC**

Was the holder of a certain NOTE dated April 27, 2006 in the amount of One Million Dollars and 0/100 (\$1,000,000.00) made by THOMAS DIAZ to Platinum Capital Group. and does further depose and say that said NOTE, a copy of which is attached as a true and correct photocopy of the front and back and any and all endorsements, has either been lost, misplaced, or destroyed and can not be produced.

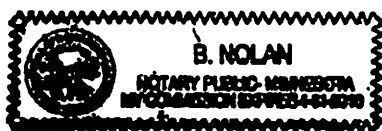
**IN THE EVENT THE ORIGINAL NOTE IS HEREAFTER LOCATED, RESIDENTIAL FUNDING COMPANY, LLC SHALL DELIVER IT TO THE APPROPRIATE CUSTODIAN**

Residential Funding Company, LLC

By: S. Seidel

**S. Seidel  
Assistant Secretary**

On 5-30-07 before me, B. Nolan, personally appeared S. Seidel ☒ personally known to me - ☐ or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacity, and that by their signatures on the instrument the person or the entity upon behalf of which the person acted, executed the instrument.



Witness my hand and official seal.

B. Nolan

AL NEWS STARTS HERE | TUESDAY, FEBRUARY 5, 2013

**ess**

(561) 820-3704 or pb\_business@pbpost.com  
Iness

**THE MARKET REPORT**

▼ DOW	13,880.08	-129.71
▼ NASDAQ	3,131.17	-47.93
▼ S&P 500	1,495.71	-17.46
▼ RUSSELL 2000	899.28	-11.92
▼ 10-YR NOTE	1.96%	-0.06
▼ CRUDE OIL	\$96.17	-\$1.60

**FORECLOSURE ATTORNEY**

# Bar ethics probe targets Stern

Grievance panels find probable cause to pursue discipline in 17 cases against foreclosure-mill boss.

By Kimberly Miller  
Palm Beach Post Staff Writer

The Florida Bar is seeking disciplinary action against Florida foreclosure baron David J. Stern, whose massive law firm collapsed in 2011 amid allegations that it mishandled the cases of the nation's largest mortgage holders by filing forged and fraudulent court documents.

Grievance committees found probable cause to pursue punishment in 17 cases stemming from formal complaints made by homeowners, defense attorneys, judges and a bank representative.

It's the first attempt by the Bar to hold Stern accountable for actions that occurred at his so-called "foreclosure mill," which grew quickly following the real estate crash to more than 1,500 employees and more than 140,000 cases

statewide. Ten probable cause findings were approved Jan. 25 with seven more following on Friday.

Stern's company closed in March 2011 after losing most of its clients, including federal mortgage backers Fannie Mae and Freddie Mac, as concerns about robo-signing hit lenders and law firms nationwide.

The allegations against Stern in which probable cause was found include notary fraud, backdating documents, misleading the court, failing to appear before the Fifth District Court of Appeal, failure of his attorneys to appear at hearings, and the inability of a Michigan-based bank to get clear title to a property because a lawsuit notice was never withdrawn from official records.

Attorney Jeff Tew, who is representing Stern, said he will defend against the charges.

The Bar has closed 19 complaints against Stern with no findings.

"Our position is David didn't do anything wrong, ethically or otherwise," Tew said. "He had a very complete system of supervision and didn't participate in any of the individual situations."

Stern, as well as a handful of other large law firms that represent banks in foreclosures, escaped state scrutiny when the courts ruled the attorney general's office could not subpoena law firms in its investigation of the companies.

"I was greatly relieved to hear that the Florida Bar is doing its job," said Fort Lauderdale attorney Kenneth Trent, who filed a complaint against Stern in August 2010, and was recently told that probable cause was found to move forward. "They still teach you in law school about ethics and these guys made a mockery of it."

The next step is for the Bar

to file a formal complaint with the Florida Supreme Court, which typically assigns the case to a circuit court chief judge, who then assigns it to a circuit judge who will act as a referee in the case. Because cases are referred to judges in the adjoining district, it is likely Palm Beach County Chief Judge Peter Blanc will get the case from the Supreme Court, said Ken Marvin, director of lawyer regulation for the Florida Bar. Stern's firm was based in Broward County.

In December, the owner of the Law Offices of Marshall C. Watson in Fort Lauderdale agreed to plead guilty to foreclosure-related offenses found during a Florida Bar investigation. A consent judgment signed by attorney Marshall C. Watson included a 91-day suspension, which requires him to close his firm and show proof of rehabilitation before being reinstated to the practice of law.

(kmiller@pbpost.com)

## TRAVEL ROYAL CARIBBEAN EARNINGS

# Royal Caribbean earnings fall

Giant loses \$393 million in fourth quarter as its Spanish cruise line declines.

Associated Press

"Looking forward, we see a tale of two continents; North

June 13, 2006

#BWNFNZY

#ZSSPRWTQSR1#

+ 0006519 000002204 09ATRL 0932826 P18

Thomas Diaz  
5200 SW 122nd Ave  
Miami FL 33175-5529



Re: Homecomings Financial Loan Number 0441375243  
Property Address 5200 Southwest 122nd Avenue  
Miami, FL 33175



Dear Thomas Diaz:

Welcome to Homecomings Financial<sup>SM</sup>, your new mortgage servicer! Effective 07/01/06, your mortgage transfers to Homecomings Financial from Platinum Capital Group.

**Your new Homecomings Financial loan number is 0441375243. It is important that you write your loan number on all payments and correspondence, so that we can identify your account and post your payments quickly and accurately. Please know that the transfer of your mortgage does not in any way affect the terms and conditions of your loan.**

**Payments** - Payments will be accepted by your current mortgage holder until 07/01/06. Please mail any payments due on or after 07/01/06 to:

Homecomings Financial  
P.O. Box 650515  
Dallas, TX 75265-0515

If you have already sent a payment for the current month, simply use one of the coupons attached for your next payment due. By sending your check to us, you authorize Homecomings Financial to convert the check into an electronic funds transfer. Your bank account may be debited the same day we receive your payment. You will soon begin receiving monthly billing statements from us. Please keep this letter and extra coupons in case you need to make a payment before you receive your first monthly billing statement. After receiving your first statement, you can discard any remaining coupons attached and use the coupon and return envelope provided in the monthly statement.

We invite you to enroll in our automated payment program, in which your monthly payments are automatically withdrawn from your bank account on the day you specify. Just visit us on the Internet at [www.homecomings.com](http://www.homecomings.com) or call our Customer Service Department at the number below and sign up today!

**CONTACTING US—You can access your up-to-date loan information via the Internet. Just go to [www.homecomings.com](http://www.homecomings.com) and select the "View My Account Info" button.** In addition, you are welcome to contact us at 1.800.206.2901. Our automated phone system, which provides specific loan information and can answer many of your questions, is available 24 hours a day, 7 days a week, and our helpful Account Managers are available from 8:00 a.m. to 7:00 p.m., Monday through Thursday, and 8:00 a.m. to 5:00 p.m. on Fridays, Central time. We also provide the special address below for your qualified, written requests. Please be sure to note your loan number on your correspondence.

Correspondence Address:

Homecomings Financial  
P.O. Box 890036  
Dallas, TX 75389

Again, welcome to Homecomings Financial! We look forward to having you as a customer and serving all of your financing needs.

Sincerely,

Homecomings Financial

DEUTSCHE BANK TRUST COMPANY AMERICAS,  
AS TRUSTEE  
PLAINTIFF  
VS.

TOMAS DIAZ, ET AL  
DEFENDANT(S)

### EX PARTE MOTION TO RESET FORECLOSURE SALE

Plaintiff, by and through its undersigned counsel, hereby files this Ex Parte Motion to Reset Foreclosure Sale and in support thereof states:

1. The Plaintiff filed its Complaint on JUNE 1, 2007.
2. The Summary Final Judgment was entered on JANUARY 8, 2008 and the Foreclosure Sale was scheduled for MARCH 12, 2008 . Then reset for AUGUST 1, 2008.
3. On or about July 1, 2008, the Plaintiff voluntarily canceled the foreclosure sale while it pursued a possible settlement with the Defendant(s), TOMAS DIAZ.
4. No settlement has been achieved and the Plaintiff now elects to proceed with the foreclosure sale.

WHEREFORE, Plaintiff requests that this Court enter an Order to Reset the Foreclosure Sale in this Cause.

### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Ex Parte Motion to Reset Sale was mailed this 15 day of October, 2008 to:

RANDALL NORDLUND, ESQUIRE  
ATTORNEY FOR TOMAS DIAZ  
ONE SE 3RD AVENUE  
SUNTRUST INTERNATIONAL CENTER  
SUITE 1980  
MIAMI, FL 33131

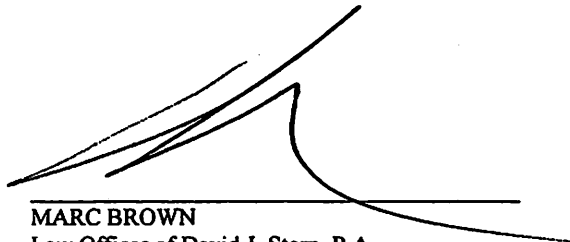
UNKNOWN SPOUSE OF TOMAS DIAZ  
10420 SW 58TH ST  
MIAMI, FL 2835

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.  
1595 SPRING HILL ROAD, SUITE 310  
VIENNA, VA 22182

BENEFICIAL FLORIDA, INC.  
C/O CT CORPORATION SYSTEM, REGISTERED AGENT  
1200 S. PINE ISLAND ROAD  
PLANTATION, FL 33324

NELSON QUEVEDO  
ANA VICKY QUEVEDO  
1415 GARCIA AVENUE  
CORAL GABLES, FL 33134

CURRENT TENANTS  
5200 SW 122ND AVE  
MIAMI, FL 33175



MARC BROWN  
Law Offices of David J. Stern, P.A.  
Attorney for Plaintiff  
900 South Pine Island Road Suite 400  
Plantation, FL 33324-3920  
(954) 233-8000

Florida Bar #: 30077

CLAIM # 4702

IN THE CIRCUIT COURT OF THE 11TH  
JUDICIAL CIRCUIT, IN AND FOR MIAMI-  
DADE COUNTY, FLORIDA

GENERAL JURISDICTION DIVISION  
CASE NO: 2007-16754-CA

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**DEUTSCHE BANK TRUST COMPANY AMERICAS, AS TRUSTEE**

**PLAINTIFF**  
**VS.**

**TOMAS DIAZ, ET AL**

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**DEFENDANT(S)**

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**AFFIDAVIT IN SUPPORT OF**  
**PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT**

**EXHIBIT "A"**

**STATE OF FLORIDA**

**COUNTY OF BROWARD**

**BEFORE ME, an officer authorized to take oaths this day personally appeared CHERYL SAMONS who, being first duly sworn, deposes and says:**

1. That your affiant is an authorized signatory of the Law Offices of David J. Stern, P.A., as Attorney-in-Fact for HOMECOMINGS FINANCIAL, LLC, mortgage loan servicing agent on behalf of the Plaintiff in the above styled action. HOMECOMINGS FINANCIAL, LLC has custody of and supervises the mortgage accounts and records of the Plaintiff including the accounts and records of the note and mortgage herein involved.

2. I have personal knowledge of the facts set forth herein and am authorized to make this Affidavit on behalf of the Plaintiff.

3. I have direct access to or have been provided with the business records of the Plaintiff concerning the Note and Security Agreement, the Mortgage and other loan documents